

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

LLANDRO ROMERO CUEVAS ,

Defendant.

Case No. 1:21-CR-00131-JLT

ORDER DENYING DEFENDANT’S
MOTION FOR SENTENCE REDUCTION

(Doc. 33)

Llandro Romero Cuevas seeks a reduction in his sentence based upon the Amendments to the United States Sentencing Guidelines, by noting that he received two “status points” for being on parole at the time he committed the crime at issue. Though it is apparent that under the Amendments Mr. Romer Cuevas is entitled to a one-point reduction in his criminal history points, this reduction will not impact his criminal history category. Consequently, because the sentence imposed would not change, his motion is **DENIED**.

I. ANALYSIS

Mr. Romero Cuevas pleaded guilty to one count of being a felon in possession of a firearm (18 U.S.C. § 922(g)(1)). (Docs. 21, 23) At the sentencing hearing, the Court determined Mr. Romero Cuevas had suffered numerous convictions, which resulted in his being assigned 17 criminal history points. Doc. 25 at 13. Because he was under a term of parole at the time he committed the offense at issue, the Court added two additional points to the total as indicated by

1 former § 4A1.1(d) of the United States Sentencing Guidelines. *Id.* According to the Sentencing
2 Table in USSG Chapter 5, Part A, these 19 criminal history points, placed him in a criminal
3 history category VI. *Id.*

4 As noted by Mr. Romero Cuevas, § 4A1.1(e) of the United States Sentencing Guidelines
5 has been amended to allow impose only one added status point for those who commit their
6 crimes while under supervision if the defendant has at least seven criminal history points by that
7 time. Mr. Romero Cuevas had 17 points before status points were added. A defendant is placed
8 in Criminal History Category VI when the defendant has 13 or more criminal history points.
9 Consequently, reducing his status points to a single point would still leave 16 criminal history
10 points, which continues him in criminal history category VI. Though the Court is impressed with
11 his efforts to rehabilitate himself in prison—given all of the coursework he has completed-- the
12 Amendment to § 4A1.1(e) has no impact on his sentence. Thu, Mr. Romero Cuevas' motion to
13 reduce his sentence (Doc. 33) is **DENIED**.

14
15 IT IS SO ORDERED.

16 Dated: **June 7, 2024**


UNITED STATES DISTRICT JUDGE